

THE NORTH COUNTRY GAZETTE

Box 408
Chestertown, NY 12817

Sept. 11, 2007

Jeff S. Jordan
Supervisory Attorney
Federal Election Commission
999 E Street NW
Washington, DC 20463

RE: MUR 5936
TerriPAC--C00417576

Dear Mr. Jordan:

I am filing additional information in reference to the above captioned matter.

In an amended statement of organization with the FEC on July 15, 2006, signed and filed July 15, 2006, by TerriPAC treasurer Brian Schiavo, affirming that the statements were true, it was stated that contributions had been made to five federal candidates as of that date, including Angle Paccione on July 12, 2006. However, a review of the all of the reports filed by Schiavo, and in particular the October quarterly report for the period 7/1/06-9/30/06, and the subsequent amended reports shows no disbursement made to Paccione.

Although the FEC had requested in December 2006, that Schiavo and TerriPAC clarify its multicandidate status in regard to Colorado Congressional candidate Angle Paccione and to do it before Jan. 2, it appears that Brian Schiavo as treasurer failed to do so as I found no such response listed. <http://query.nictusa.com/cgi-bin/dclav/forms/>

An amended report filed for the October quarterly period shows contributions to six federal candidates but none to Paccione. The information which had been requested by the FEC is not shown on the amended reports for the October 2006 quarter.

Although an amended pre-general report was filed, purportedly on Jan. 2, 2007, that report also continues to show numerous errors in the disclosure of campaign finances. On information and belief, Brian Schiavo has filed false reports with the FEC.

In addition to previous documentation I have provided you, it appears that TerriPAC may have intentionally understated or misrepresented the amount of receipts as their disbursements since inception (\$82,113.10) are more than their stated receipts (\$72,832.08) and the treasurer and registered agent of the Florida TerriPAC, Derek Newton, is the prime recipient of the disbursements from the federal TerriPAC by payments of \$39,987.84 to his November Group and another \$4,280.21 to On-Time Fundraisers of which he is listed at www.sunbiz.org as being the vice president/director.

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In May, 2006, in a published statement, the chairman of TerriPAC, Michael Schiavo, sent out an email stating In May, Schiavo sent out an email claiming that his political action committee had received "tens of thousands of dollars from supporters literally from all across America and we've given thousands of dollars to progressive candidates".

<http://www.northcountrygazette.org/articles/053106PACPiea.html>

According to the reports filed with FEC by TerriPAC, from April 1 through June 30, 2006, Schiavo and Newton could count individual contributors to TerriPAC on one hand, three from Florida and two from California, with individual contributions totaling \$1,800, hardly the "tens of thousands" that Schiavo had proclaimed. Overall, during 2006, TerriPAC until that date, TerriPAC reported receiving only \$7,204 in individual contributions, significantly below the "tens of thousands" that Schiavo had claimed.

<http://images.nctusa.com/cgi-bin/fecimg/?C00417576>

For the second quarter, Brian Schiavo, PAC treasurer, listed \$1,831.12 in unitemized contributions and the Jim Stork for Congress committee of Fort Lauderdale, now defunct, was listed as contributing \$2,500 to TerriPAC for total second quarter receipts of \$6,131. Total receipts for TerriPAC for 2006 at that time were listed at \$14,255.33. <http://www.northcountrygazette.org:80/articles/071906BigFizzie.html>

This continues to raise questions about the accuracy of the reports filed by Brian Schiavo for TerriPAC.

In the FEC report for TerriPAC for the first quarter of 2006, there are disbursements shown paid to Danielle Black at [REDACTED], Miami, Fla. On information and belief, this is the same address as Derek Newton and Ms. Black, on information and belief, is Mr. Newton's girlfriend. Both Mr. Newton and Michael Schiavo have used this same address when registering TerriPAC with the Florida Division of Elections. According to information filed with the Florida Division of Elections. Ms. Black was employed as a staff member for the Jim Davis for Governor campaign in Florida, using the same condo number. In the filing with the FEC, it is stated that the expenses paid to her were not in conjunction with any candidate as in the space for Candidate, it is stated N/A. However, on information and belief, she was employed by the Davis Campaign. It appears that the monies paid to her from the federal TerriPAC were reimbursements for her travel expense and office work in conjunction with the Davis campaign. As such, they were at the least in-kind contributions and should have been reported as such to the Davis campaign in the filings with the Florida Division of Elections for the Florida TerriPAC and would have exceeded the limits allowed pursuant to Florida Statutes of \$500 per election per candidate. In fact, on the same page on which two disbursements are shown made to Danielle Black, the federal TerriPAC also shows a disbursement of \$500 to the Florida campaign for Davis.

On information and belief, Derek Newton and his girlfriend Danielle Black used TerriPAC for their own personal political purposes to the financial benefit of Derek Newton. According to the reports filed with FEC, there is no documentation to show the purposes of the "consulting fees" paid to Newton, what type of "fundraisers" were conducted, substantiation that the travel expenses were for the purposes of TerriPAC and were not candidate specific.

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This information, from reports filed with the Florida Division of Elections, indicates that Danielle was a staff member of the Davis campaign at the time she received disbursements from the federal TerriPAC.

Candidate/Committee Amount Payee Name City State Zip	Date Address Purpose Type
Davis, Jim (DEM)(GOV) 104.78 BLACK, DANIELLE MIAMI, FL 33132 MON	09/08/2005 TRAVEL
Florida Democratic Party (PTY) 95.00 BLACK, DANIELLE M. PARTY P.O. BOX 1 TALLAHASSEE, FL 32302 GOV MON	10/05/2005 C/O FLORIDA DEMOCRATIC STAFF DAVIS
Davis, Jim (DEM)(GOV) 190.00 BLACK, DANIELLE MIAMI, FL 33132 FOR TR MON	10/12/2005 REIMBURSEMENT
Davis, Jim (DEM)(GOV) 73.29 BLACK, DANIELLE MIAMI, FL 33132 FOR TR MON	10/12/2005 REIMBURSEMENT
Davis, Jim (DEM)(GOV) 238.25 BLACK, DANIELLE MIAMI, FL 33132 FOR TR MON	11/29/2005 REIMBURSEMENT
Davis, Jim (DEM)(GOV) 135.98 BLACK, DANIELLE MIAMI, FL 33132 MON	02/27/2006 TRAVEL
Davis, Jim (DEM)(GOV) 90.81 BLACK, DANIELLE MIAMI, FL 33132 MON	08/22/2006 TRAVEL
Davis, Jim (DEM)(GOV) 92.22 BLACK, DANIELLE MIAMI, FL 33132 CCP	10/21/2006 TRAVEL
Davis, Jim (DEM)(GOV) 280.87 BLACK, DANIELLE MIAMI, FL 33132 EXPENSES CCP	11/03/2006 TRAVEL
Davis, Jim (DEM)(GOV) 5,250.00 BLACK, DANIELLE MIAMI, FL 33132 MON	11/17/2006 TRAVEL

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6,551.20

10 Contribution(s) Selected

1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368</
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TerriPAC Florida (PC)

Status:

Active**Address:**

Box 348322

Coral Gables, FL 33234

Committee Type:

Political Committee (PAC)

Chairman:

Michael Schiavo

Derek Newton's Condo
Miami, FL 33132

Miami, FL 33132

Treasurer:

Derek Newton

[REDACTED]

Miami, FL 33132

Registered Agent:

Derek Newton

Miami, FL 33132

Mailing Address:

Box 348281

Coral Gables, FL 33234

Purpose:

Attributions:

[REDACTED] in Miami—the address used by Michael Schiavo, Derek Newton and Danielle Black is a residential condo and allegedly the residence of Newton and Black.

These are the property details on the condo Newton and his girlfriend lived in (or still live in). GARY JIMÉNEZ is shown as the owner of the condo. The market value is \$378,000